IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

SECOND APPEAL NO. 1161 OF 2004
WITH
CIVIL APPLICATION NO. 8314 OF 2003.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr. R.S. Apte with Mr. M. V. Limaye for the appellants.

Mr. R.M. Nakhwa with Mr. V.D. Dhawan with Mr. M.R. Dhameja for respondent No.2.

CORAM : ANOOP V. MOHTA, J.

DATE : 16.12.2005

. Heard. The suit filed by the appellant-plaintiff for cancellation of sanction plan of the defendants was dismissed. The appellate Court also confirmed the same. Against the order of refusal of injunction, appellant preferred revision, which was also rejected on 1st September, 1997. In the result sanction plan remained intact.

The trial Court has refused to grant injunction, by order dated 28/4/2000 and the appellate Court further confirmed the same by order dated 21st December, 2002. I see there is no reason now to interfere with the concurrent findings given by both the Courts. Therefore, the present Second Appeal is dismissed. However, plaintiffs are at liberty to invoke the appropriate civil remedies based on the title of the suit property, basically 8 R as contended by the learned Counsel appearing for the plaintiffs. With this Second Appeal is disposed of.

. Civil Appeal No. 1546 of 2004 is therefore, also disposed of.

(ANOOP V.MOHTA,J.]